

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT PRESIDING

April 8, 1998

A. CALL TO ORDER

The April 8, 1998, meeting of the DeSoto County Board of Supervisors was called to order by Tommy Lewis, Board President.

Deputy Roger Jones, of the DeSoto County Sheriff's Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Jessie Medlin-----District 1
Eugene C. Thach-----District 2
James D. Pearson-----District 3
John Caldwell-----District 4
Tommy Lewis-----District 5
W. E. "Sluggo" Davis-----Chancery Clerk
James Albert Riley-----Sheriff
Clovis Reed-----County Administrator
William H. Austin, Jr.-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor Eugene Thach.

C. PLANNING COMMISSION

The portion of the meeting presented by the Planning Commission is prepared by the Planning Commission and listed under that portion of these minutes.

D. APPROVAL OF MINUTES

This item was held over until April 20, 1998.

E. OLD BUSINESS

1. Western Fidelity PUD (Meadow Oaks)

Supervisor John Caldwell notified the Board of Supervisors that the Western Fidelity PUD, otherwise known as Meadow Oaks, is between 7 & 8 years old and according to county regulations if a sub-division has not been started in 2 years from approval the Board of Supervisors can consider re-zoning the property to the original classification. Supervisor Caldwell read the portion of the regulations regarding this approval process.

Item E.1., Continued,

Merritt Powell, Director of the DeSoto County Planning Commission asked for clarification from the Board of Supervisors that they would be asking the Planning Commission to only consider the application with no regard for a potential lawsuit.

Supervisor Eugene Thach pointed out that, at this time, the Planning Commission does not have anything in front of it for consideration concerning this development. Supervisor Thach said that at this time the Planning Commission does not have an application before them, nor have the developers come before the Board of Supervisors for approval. Supervisor Thach said that this is not the only development that is more than 2 years old that has received preliminary approval and in acting fairly all such developments should be considered together.

Merritt Powell told the Board of Supervisors that if any undeveloped projects have been filed with the Chancery Clerk, Sluggo Davis, they are considered complete and no further action is required on behalf of the developer. Mr. Powell said that once preliminary approval is obtained the developer has 2 years to come back for final approval before a plat is filed. Mr. Powell further explained that once approval is obtained the developer has 1 year to file the plat with the Chancery Clerk. Mr. Powell said that this is a zoning issue and nothing has been done except the land has changed hands. Again Mr. Powell said that he wants to make sure that the Planning Commission is not to consider any potential law suits.

Supervisor Tommy Lewis said that to his understanding anything greater than 2 years has to come back for concurrence of the Board of Supervisors. Mr. Powell said that is the correct process for a sub-division. Mr. Powell said that if a plat is not recorded within 1 year of the final approval then that is when the developer has to have concurrence from the Board. However, Mr. Powell said this is a PUD and is therefore a zoning issue. Mr. Powell defined that PUD's are required to get a preliminary site plan and that is what Supervisor Caldwell was reading.

Supervisor Eugene Thach pointed out that the regulations read by Supervisor Caldwell say "may," therefore that action is not mandatory. Supervisor Thach said that he is concerned about the many other developments that are past 2 years of their approval. Mr. Powell said the only other one the county did anything on is Fox Creek or Bell Hammond. Mr. Powell said that those were not changed because the builder is building a better development.

Supervisor John Caldwell asked how many developments have received preliminary approval 5 years ago or earlier. Merritt Powell responded none that he knows of.

Supervisor Caldwell pointed out that approval for this development came through a different Board of Supervisors. Supervisor Caldwell said that he feels the development should go back to the Planning Commission.

Supervisor Jessie Medlin asked how this board action would make the Board of Supervisors look if the matter goes into court. Supervisor Medlin said the judge would likely ask why the Board of Supervisors just now decided to change this. Supervisor Caldwell responded that the comprehensive plan shows this land to be zoned AR.

Item E.1., Continued,

The Board Attorney Bill Austin said that the last comprehensive plan did not change anything.

Supervisor Eugene Thach said that the Board of Supervisors had to come back last week and change something they had done that unknowingly was not legal.

Supervisor John Caldwell asked if it is legal to send this matter back to the Planning Commission. The Board Attorney responded yes it is. Mr. Austin said that they were asking the Board of Supervisors to amend this plan and the Board of Supervisors asked them to change the plan to something else in response to their request. Mr. Austin that there are 3 ways to accomplish this and they are: confirming a proposed re-zoning; the Planning Commission making a written proposal for an amendment; or the owner bringing up the proposition of re-zoning the property. Mr. Austin further explained that Section 17-1-17 of the Mississippi Code says that if you send it back and get a ruling from them, then the protest filed by more than 20% of the landowners will require a two-thirds vote to make that change because the property you have is owned by one entity.

Supervisor John Caldwell said that he is not trying to pre-count votes. Rather he is trying to send a 8 year old plan back for consideration.

Supervisor Eugene Thach asked if anyone was sure they were trying to development at that time when dealing with that request.

Supervisor John Caldwell asked if that was right. The Board Attorney, William Austin said that he thinks they could take the original plan that was approved and start building under that plan today.

Supervisor Eugene Thach said he wants to make sure, because the Board of Supervisors was on the verge of a lawsuit, that any developer has the right to withdraw an application at any time, in his opinion.

Supervisor John Caldwell said that the developer said he wants the Board of Supervisors to decide before he decided whether to withdraw the application.

Supervisor Eugene Thach asked if it comes before the Board of Supervisors do we have another chance to turn it down. The Board Attorney responded that it will be back up here. Mr. Austin asked if Supervisor Thach was asking if they have to come back before they start construction. Merritt Powell said if they come back here it would be the final approval for any particular phase of the sub-division. Mr. Powell said that we are getting into zoning because the site plan was already approved. Mr. Powell said that he does not know about the 2 year approval for a site plan. The Board Attorney said that he thinks it would apply for PUD.

Supervisor Eugene Thach said that he wants to make sure we are legal with whatever we do. The Board of Supervisors does not know whether or not they are going to build. Supervisor Thach said that it appears any action would be picking this development out of many that fall into the category.

Item E.1., Continued,

Supervisor John Caldwell said that the development affects his constituents. Supervisor Caldwell said if this is illegal then we need to rewrite the zoning regulations because that is where he read this rule from.

Supervisor Tommy Lewis said that the issue is whether or not the Board will have to vote on this again.

Merritt Powell said the only thing he was unclear about was whether the PUD's fell into the 2 year rule. That is exactly what the sub-division rules say about that.

Supervisor Tommy Lewis asked if they can start moving on the project. Merritt Powell responded yes. As far as the design of the sub-division they can do anything without final approval. Mr. Powell pointed out that they made a point of saying they were not trying to change the zoning of the property. He made an issue that they were trying to revise the zoning.

The County Administrator, Clovis Reed said they made a point of saying if the new plan was not approved then they already have a plan that they can go with.

Mr. Powell said that part of the approval was a site plan that is over 2 years old.

Supervisor Eugene Thach said to Supervisor Jake Pearson that he was here when the original approval was passed. Supervisor Pearson responded he voted for it after about 2 months. Supervisor Pearson said they had to go through Horn Lake and now after 8 years, Horn Lake has not annexed the property. Supervisor Thach asked Supervisor Pearson for his opinion of the project. Supervisor Pearson said that he would like another chance to look at it as there are some good points and some bad points about the development.

Supervisor Tommy Lewis asked if Merritt Powell has the original site plans. Merritt Powell responded yes.

Supervisor Jake Pearson said he agrees with Supervisor Caldwell. All of his constituents are against the development.

Supervisor Eugene Thach asked if the constituents are against the first development. Supervisor Pearson responded to a certain extent because there have been new homes built in that area and other changes have taken place on subdivisions in that area.

Supervisor Eugene Thach said he thinks the county may get into a lawsuit over the project and he would like to look at it again. Supervisor Pearson said that he would like to look over it again but speculated the development may go to court either way.

Supervisor John Caldwell said if the development went to court the Board of Supervisors could show they were trying to follow the zoning regulations. Supervisor Eugene Thach asked the Board Attorney if he feels the Board of Supervisors is on firm ground. The Board Attorney, Bill Austin responded that if you think that this is a situation that needs to be re-evaluated you would then go to a provision on page 78 of the zoning that says you

Item E.1., Continued,

can take your own initiative to send a development back to the Planning Commission. Mr. Austin said that he cannot advise the Board of Supervisors on whether that is a wise decision but rather that the option is available.

Supervisor Eugene Thach clarified to do so would be a legal decision. Mr. Austin said that is an alternative to correct zoning but that is a Board of Supervisors decision. Supervisor Thach said that the Supervisors could base doing so on the fact that it is 7 years old.

Mr. Sam Russell, of the DeSoto County Planning Commission said the regulations don't say anything about other zoning - just PUD's. Mr. Austin said that people ask for zoning changes all the time.

Supervisor John Caldwell made the motion to stick with the regulations and send the development of Western Fidelity back to the Planning Commission for consideration to change the zoning back to the original zoning and go through the process of holding a public hearing on the matter. Supervisor Jake Pearson seconded the motion. The motion passed by a vote as follows:

Jessie Medlin-----	No
Eugene C. Thach-----	Yes
James D. Pearson-----	Yes
John Caldwell-----	Yes
Tommy Lewis-----	No

2. Bids Under Advisement - Chip Spreader

Supervisor Tommy Lewis told the Road Manager that he understood him to say that we might save \$10,000 per year on rock with the purchase of the Chip Spreader. The Road Manager, Kenny Gunn responded that he figured this rock savings and based on 20 foot right-of-way, when the county tries to pave them 22 feet wide, the county would realize a savings of \$1,700 per mile. Mr. Gunn said that doesn't count the savings of wear and tear on the trucks. The Road Manager said that the county has 43 miles of gravel roads which will total \$73,000 savings for the rock. Mr. Gunn said that this doesn't count any re-works.

Supervisor Eugene Thach asked if the county will realize better quality in their road work. Kenny Gunn responded that no one driver spreads a load of rock at the exact same rate of uniform gravel placement with current system. Supervisor Tommy Lewis said the mechanical shovel will never get those things out of the road. Kenny Gunn responded that you will still be able to tell where one starts and stops with the work. Mr. Gunn said that currently the county puts down 529 tons of rock per mile on a 20 foot wide road. This level would cut to 352 tons per mile using the Chip Spreader.

Supervisor Jessie Medlin asked how much the County hauls on trucks. Kenny Gunn said about 23 tons per truck.

Supervisor Eugene Thach asked if the Road Manager was only going to use this for 2 years until the gravel roads are paved. Supervisor Thach said that after you finish the gravel roads you will go on using the machine. Kenny Gunn agreed that is correct. The county will use the machine to reseal the roads. Mr. Gunn said that if you can't get the rock even when set down you wind up with bare spots. Mr. Gunn said that he had been told

Item E.2., Continued,

that the county used to have a Chip Spreader but it got in such bad shape it had to be sold or disposed of before his employment with the county.

Supervisor Jessie Medlin said he has a problem with that everything is worn out and has to be replaced with something new, it seems.

Supervisor Eugene Thach said he is in favor of doing what we can to fix the roads and he is clear that the machine won't be used for just 2 years but rather after that time to continue county road work. Supervisor Thach said that is one of the problems he had with the patching - the quality of work is not good.

Kenny Gunn told the Board of Supervisors that it is highly unlikely to find a used machine in good enough condition for county road work.

Supervisor Jessie Medlin said he wants to stress today that we need this equipment to be used. Supervisor Eugene Thach asked what the cost of the machine is. The County Administrator, Clovis Reed responded \$86,942.00.

Supervisor Jessie Medlin said that is 13 yards per mile that could be saved and maybe we could free some trucks up that had been hauling rocks.

Supervisor Eugene Thach said the county could use the trucks for longer than 2 years.

The Road Manager, Kenny Gunn said just with 43 miles of road you would save \$73,000 on rocks, however Mr. Gunn cautioned that adjustment of rock use would have to be made on all roads.

Supervisor Jake Pearson made the motion and Supervisor Jessie Medlin seconded the motion to purchase the Chip Spreader from the low bidder Contractors Equipment, and approve financing from the low bidder of Trustmark National Bank.

The motion passed by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
James D. Pearson-----Yes
John Caldwell-----Yes
Tommy Lewis-----No

See Exhibit E.2

3. Approval of Affidavit and Road Inspection Report

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the yearly road inspection report and authorize each supervisor to sign affidavits concerning same subject to pending changes by Supervisor Tommy Lewis. The motion passed by a unanimous vote. See Exhibit E.3

Item E.4., Continued,

4. Supervisor Lewis - Appointment to MS Youth Summit

The Chancery Clerk, W. E. "Sluggo" Davis said he has talked to Ms. Robinson who thinks there will be 4 meetings connected to the appointment to the MS Youth Summit. Ms. Robinson says the meetings can be held day, night or weekends and will likely last one to one and a half each. Ms. Robinson said that if the Board of Supervisors will have the names back by the 20th that would be sufficient. Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve a resolution in support of the summit and ask each board member to submit appointments by the 20th. The motion passed by a unanimous vote. See Exhibit E.4

5. Reconsider Authorization to Bid for Cubicals for Environmentalists

The County Administrator, Clovis Reed notified the Board of Supervisors that they have found out after the meeting on the 6th that there will be three more environmentalists to share office space in the Board of Education building. Therefore, it may be necessary to purchase cubicles for these positions in order to acquire space in the new building.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to authorize advertising for new or used cubicles in the Board of Education Building. The motion passed by a unanimous vote.

F. NEW BUSINESS

1. Dale Thompson

a. Investment of Surplus Funds

The Comptroller, Dale Thompson submitted investment of surplus funds from which the county will acquire \$1,213,873.22 within a 332 day period.

In accordance with Section 19-2-29 of the Mississippi Code, which states that whenever any county shall have on hand any bond and interest funds, any funds derived from the sale of bonds, special funds, or any other funds in excess of the sums which will be required to meet the current needs and demands of no more than seven (7) business days, the Board of Supervisors of such county shall invest such excess funds.

At the recommendation of the Comptroller, Dale Thompson, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the investment of surplus funds to Trustmark National Bank, who was the high bidder that placed their bid on time.

Date of Investment	Bank	Amount of Investment	Maturity Date	Rate of Interest
4/6/98	Trustmark	\$ 815,000.00	6/4/98	5.326
4/6/98	Trustmark	\$ 1,325,000.00	7/1/98	5.348
4/6/98	Trustmark	\$ 1,300,000.00	8/6/98	5.348
4/6/98	Trustmark	\$ 1,600,000.00	9/2/98	5.348

T. L.

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Item F.1.a., Continued

4/6/98	Trustmark	\$ 1,800,000.00	10/1/98	5.389
4/6/98	Trustmark	\$ 1,900,000.00	11/5/98	5.401
4/6/98	Trustmark	\$ 1,900,000.00	12/4/98	5.421
4/6/98	Trustmark	\$ 2,000,000.00	1/7/99	5.421
4/6/98	Trustmark	\$ 2,150,000.00	2/4/99	5.421
4/6/98	Trustmark	\$15,279,640.00	3/4/99	5.483
4/6/98	Deposit Guaranty	\$ 3,525,155.00	5/6/98	5.319

The **motion passed** by a unanimous vote. **See Exhibit F.1.a**

b. Approval of Payment to First Tennessee for Lease Purchase

The Comptroller, Dale Thompson reminded the Board of Supervisors of their past approval of First Tennessee Bank for the leasing of equipment including 3 Massey Ferguson Tractors with a loan amount of \$1,355.94 and a bulldozer for a loan amount of \$1,231.65 and requested authorization to make the first payment. Supervisor Tommy Lewis asked if this will happen every month. Ms. Thompson responded that after this payment the expenditure will appear on the claims docket.

Supervisor Jake Pearson made the motion and Supervisor John Caldwell seconded the motion to approve the lease payment to First Tennessee Bank for the above mentioned equipment. The motion passed by a unanimous vote. **See Exhibit F.1.b**

2. Approval of Quarterly Budget Allocation for Sheriff & Tax Collector

The Comptroller, Dale Thompson requested authorization for approval of the quarterly allocation for the Sheriff and Tax Collector and Tax Assessor.

In accordance with the provisions set forth in Section 19-25-13 of the Mississippi Code, which states that the Board of Supervisors shall, at its first meeting of each quarter beginning on October 1, January 1, April 1 and July 1, appropriate a lump sum for the sheriff for the expenses of his office during the current quarter.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the above mentioned budget allocation. The **motion passed** by a unanimous vote. **See Exhibit F.2**

3. Sponsorship - County-wide Easter Egg Hunt

Doug Jones of the DeSoto County Tribune appeared before the Board of Supervisors to request support of the County Wide Easter Egg Hunt. Mr. Jones told the Board of Supervisors that the previous ad from last years hunt was revised and put in the paper and upon reading the paper he noticed that the Board of Supervisors were mentioned as supporting the function. Mr. Jones said that he came before the Board last year but did not come this year and apologized for the oversight of mentioning them before getting their approval.

Supervisor Jessie Medlin said that last year the Board did not give any

Item F.3., Continued

money for the Easter Egg Hunt but did a resolution of support and asked if they wanted to do something this year. Supervisor Medlin said the city of Horn Lake is giving \$750.00, Southaven and Olive Branch are all donating to this effort. Supervisor Medlin requested that the Board of Supervisors approve a donation for this worthy cause that aids and supports the youth of DeSoto County. Supervisor Medlin said he wants to move \$750.00 out of his park fund money and donate it to this cause as a means of advertising DeSoto County's Resources.

Doug Jones told the Board of Supervisors that the Easter Egg Hunt has 13 sponsors county-wide. Mr. Jones said that the City of Hernando did not donate to this effort because they have a city-wide Easter Egg Hunt every year. Mr. Jones said that he has purchased 79,000 Easter Eggs in anticipation of the hunt.

Supervisor Eugene Thach said that last year the Board was concerned about the legalities of the donation.

Supervisor Jessie Medlin said that he thinks that the Board was concerned about the opening the door to other requests. Supervisor Medlin said that this is a good function and last year the egg hunt was well received by the citizens of DeSoto County.

Supervisor Caldwell said he heard about the hunt on the air waves. The Comptroller, Dale Thompson said that money is available in advertising of county resources and that may be the appropriate place to fund the expenditure. The County Administrator, Clovis Reed, requested the Board of Supervisors to sponsor a County-wide Easter Egg Hunt. In accordance with Section 17-3-3, of the Mississippi Code of 1972, the Board of Supervisors did make a determination that the above request would advertise the resources of the County. Supervisor Jessie Medlin and Supervisor John Caldwell seconded the motion to approve donating \$750.00 from Advertising County Resources to the County Wide Easter Egg Hunt. The motion passed by a unanimous vote.

4. Closing Costs of Issuance of Civic Center Bonds

Supervisor Eugene Thach said that the Board of Supervisors voted that they would approve all payments for the Civic Center. The Comptroller, Dale Thompson said that these payments were made on December 11, 1997. Supervisor Jessie Medlin asked for an explanation of the handout. The County Administrator, Clovis Reed said that one hand out is the minutes when the Board hired and authorized payment of the bonds for the Civic Center and costs associated therewith. After a discussion of the bills the Board of Supervisors agreed that all bills should come before the Board and be included in the minutes of the Board of Supervisors.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve payment of these bills for the Civic Center and incorporate approval in the Board minutes as follows:
The motion passed by vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes

Item F.4., Continued

James D. Pearson-----Yes
John Caldwell-----No
Tommy Lewis-----Yes

See Exhibit F.4

G. ALLEN & HOSHALL

David Nicholson of Allen & Hoshall appeared before the Board of Supervisors to discuss changes in the Administration building. Mr. Nicholson said that Allen & Hoshall is on track to re-advertise on the 17th or following that time period for the Administration Building. Mr. Nicholson said that Allen & Hoshall met with the Administrative Building Committee yesterday and most committee members were in attendance. Mr. Nicholson said that the low bid was 8.3 million and the next three were 8.5 million, therefore Allen & Hoshall is attempting to show a reduction in the plans of 2 million dollars. Mr. Nicholson said that no changes have been made in the appearance of the building on the inside, however changes that have been made to the building are as follows:

1. Most limestone has been deleted and replaced with brick. resulted in a total of a \$1,170,000 reduction in the building.
2. The automatic drop off was deleted and the walkways with brick have
3. Some mechanical plumbing changes have been made to the building and ductwork inside the hallways have been changed. The changes should result in the savings of \$213,000. In addition Mr. Nicholson mentioned other minor changes that has taken place to the building which should bring the bids back in at 6.4 to 6.5 million dollars.

Supervisor Tommy Lewis asked if Mr. Nicholson had a rendering of the new building. Mr Nicholson responded that he does not have a color drawing but showed the Board of Supervisors a black and white rendering and described changes that have been made. Supervisor Eugene Thach asked if Allen & Hoshall had considered stucko. Dave Nicholson said yes but adding stucko may result in a smaller reduction in cost savings as another trade would be added to the building.

Supervisor Eugene Thach asked when the committee met. Dave Nicholson answered that the committee met yesterday. Supervisor Eugene Thach asked if they were they in agreement. Dave Nicholson said yes.

Supervisor John Caldwell said right now the trees are scheduled to be removed with the construction of the building. Dave Nicholson responded that is correct. Supervisor Caldwell asked if the City of Hernando had to give a variance to build the building that close to the road. Dave Nicholson said they had, and explained the need to go so close to the street line with the building. Mr. Nicholson explained that to move the building back would result in a increased cost due to elevation at the site. Mr.

Item G., Continued

Nicholson said that were problems with the road shield parking and future street expansion.

Supervisor John Caldwell said that future expansion is a good point distance for a building to be built to the street. Supervisor Caldwell said that he thinks it would be worth the extra money to move the building back. Supervisor Caldwell said the county requires this on their developments and should abide by themselves as well.

Supervisor Jessie Medlin said that if you get close to the trees you will kill them anyway during construction. Dave Nicholson said you normally go out 50 feet from the trees to build if you want to save the trees. Supervisor Tommy Lewis asked if there was room to move the building back. Dave Nicholson said 50 feet but he does not think that the trees are in a straight line. Mr. Nicholson said that the plans include planting as large a tree as possible. Supervisor Tommy Lewis asked if the plans include driving into the parking lot in the back of the building. Dave Nicholson said yes. Supervisor Lewis asked if there is room to move that back. The County Administrator, Clovis Reed said not really, the site drops off in the back.

Supervisor John Caldwell asked if the parking lot is going to drop off. Dave Nicholson replied that the parking lot will step down. Supervisor Caldwell said that the handicap will have to travel uphill to the building.

Supervisor Eugene Thach asked if the plans met federal requirements for the handicap. Dave Nicholson said yes.

Supervisor John Caldwell said that there is still opposition to not finishing the other wings. Supervisor Caldwell asked if the building still has a flat roof. Mr. Nicholson responded that it has a sloped roof. Mr. Nicholson said that Allen & Hoshall will provide a list of changes for the people who bid on the job the last time. He said that a plan opening at 2:00 p.m. rather than 10:00 a.m. is preferred. Mr. Nicholson said that they were told by one of the mechanical contractors that they would have been able to cut their price by \$100,000 if the bid opening had been at 2:00 p.m. rather than 10:00 a.m. on the day of the opening.

Supervisor Tommy Lewis asked if there is any room left for widening the streets. Dave Nicholson said that he does not think so and widening of the street was not considered. Mr. Nicholson said one reason the building was placed in the current location was because of the proximity to the courthouse and the elevation problem. Supervisor Lewis asked how much it would cost to move the building 10 feet. Dave Nicholson said that moving the building 10 feet will not elevate the problem with the trees. Supervisor Lewis responded that he is concerned with widening of the street and asked if the committee considered the streets. Mr. Richardson of the Administrative Building Committee said he did. He said that he can see the Boards side of the story. Mr. Richardson said that if the county can spend the money then the building can be moved back. He said the Board of Supervisors will have to make that decision. Mr. Richardson said that the Committee considered cutting the price by agreeing to this location. Mr. Richardson said that he does not want to cut the meat out of the project but he is in favor of cutting the fat to put the building back within budget. Mr. Richardson said it is only natural, but to cut the price you have to cut something out of the building. Supervisor Tommy Lewis said he is concerned about future widening of the street.

Item G.,Continued

Supervisor John Caldwell said that he does not think 10 feet is enough. Supervisor Caldwell said he does not like the drop ceilings in the new plans. Supervisor Caldwell asked if the money could not be saved from the expansion space.

Supervisor Eugene Thach said it wasn't too much more to go on and finish the unused space. Dave Nicholson responded that it would be hard to determine the cost of finishing the unused portion by itself. Supervisor Thach asked when Allen & Hoshall could give the Board a figure on moving the building. Dave Nicholson responded a couple of days probably. Mr. Nicholson said that determination would not be as involved as moving the building 50 feet. It would be hard to save the trees with construction even if the building were moved 50 feet. Supervisor John Caldwell said he does not buy that. Supervisor Eugene Thach agreed that the trees would be in jeopardy even if the building were moved.

Supervisor Thach asked how much it would cost to move the building 10 feet and said he thinks that makes a lot more sense because sooner or later something has to be done about widening the street.

Supervisor Tommy Lewis asked what the Board of Supervisors wants Dave Nicholson to come back with.

Supervisor John Caldwell responded the ceilings. Dave Nicholson said the ceilings change would save about \$14,000.

Supervisor Tommy Lewis said are you going to let us know how much it would cost to move the building 10 feet. Dave Nicholson cautioned regardless how much the building is moved, it will delay the project. Supervisor Tommy Lewis said that the Board of Supervisors can live with that.

Supervisor John Caldwell said it is not only the benefit of widening the street that should be considered, but it would balance the concrete and steel in the area. Supervisor Tommy Lewis said it would serve two purposes without question. Dave Nicholson said he would let the County Administrator know in the next couple of days. **See Exhibit G**

H. EXECUTIVE SESSION

I. OTHER ISSUES:

1. Chamber of Commerce request to use Courthouse for Music Series

The County Administrator, Clovis Reed said that he has received a request from Lyn Arnold on behalf of the Hernando Area Chamber of Commerce requesting the use of the Courthouse steps and lawn for a music series. Mr. Reed said that the Chamber of Commerce has agreed to be responsible for the clean-up with the event.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Chamber of Commerce to use the Courthouse steps and lawn for the music series beginning April 24, 1998 and running for 4 consecutive weeks ending May 15, 1998 from 12:15 pm to 12:45 pm with the Chamber of Commerce being responsible for clean-

Item I.1, Continued

up. The motion passed by a unanimous vote. **See Exhibit I.1**

2. Contract with Army regarding Arkabutla Road

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to make the fully executed contract with the Army for improvements to Arkabutla Road part of the minutes. The motion passed by unanimous vote. **See Exhibit I.2**

3. Kenny Gunn request to purchase Pressure Washer

The Road Manager, Kenny Gunn notified the Board of Supervisors that the pressure washer in Central Maintenance is 14 years old and Mr. Gunn said that the pressure washer was originally used in the third district shop. Mr. Gunn said that he had the company come and look at the pressure washer for the needed repairs and was told that the repair kit for this washer is no longer made. Mr. Gunn estimates the cost of replacing the pressure washer to be \$5,000.

Supervisor Eugene Thach asked if the Road Manager has the money in his budget. Mr. Gunn said that they can probably find that money. Mr. Gunn asked if trade-in counts toward the \$5,000 therefore making it unnecessary to bid for the item. The County Administrator, Clovis Reed responded that if the cost of the machine is \$5,000 it probably should be bid on. The Board Attorney said he would look that specific statute up.

Supervisor Jessie Medlin made the motion and Supervisor Jake Pearson seconded the motion to authorize advertising for one pressure washer for use in Central Maintenance Department. The **motion passed** by unanimous vote. **See Exhibit I.3**

4. Road Patching

Supervisor Jessie Medlin said the Board of Supervisors should do something about patching holes. Supervisor Medlin said that he has not noticed a crew patching in the county lately. Supervisor Medlin asked the Road Manager if he can pull a couple of men out and get them to patching holes.

Supervisor Tommy Lewis said that he is upset about that too. Supervisor Lewis said that the Board of Supervisors has told the Road Manager they want someone running year round patching holes.

Kenny Gunn responded that the Road Department is putting out shoulder gravel at the present time. He said that you have to have a flag man and other crew members to accomplish patch work therefore taking quite a few workers off other jobs. Mr. Gunn said that this morning that every man in the Road Department was doing something.

Supervisor Tommy Lewis said that in his mind there should be a patch crew running everyday - that is a priority. Supervisor Lewis said that he sees too many holes in the road and he agrees with Supervisor Medlin's assessment of the patchwork.

Kenny Gunn responded that it is a matter of priority. Mr. Gunn said that

Item I.4, Continued

Supervisor Thach said that he would like to see the patch crews do a better patching job. Kenny Gunn responded that you have to spend more time doing the patching if you cut the asphalt out and dig down to do the patch work.

The County Administrator, Clovis Reed said that he is hearing the Board of Supervisors say they want both. Mr. Reed asked the Road Manager if he is saying that he does not have people to do both. Kenny Gunn said that right now he has every man busy.

Supervisor Tommy Lewis said he still thinks patching is a priority.

Supervisor Jessie Medlin said I would rather see them patching pot-holes than splitting limbs.

Supervisor John Caldwell said that if the sun is shining and the men are willing to work overtime, then work them.

Supervisor Jessie Medlin said that he agrees - let them work late.

Road Manager, Kenny Gunn said we had three crews to work until 5:30 p.m. this past week.

Supervisor Eugene Thach said not to forget about the gravel on Getwell Road. Supervisor Jake Pearson said don't forget about the patch crew.

Supervisor Eugene Thach made the motion and Supervisor Jake Pearson seconded the motion to recess until Monday, April 20, 1998 at 9:00 a.m. The **motion passed** by a unanimous vote.

THIS the 8th day of April 1998, these minutes have been read and approved by the DeSoto County Board of Supervisors.

TOMMY LEWIS, President
DeSoto County Board of Supervisors

T. L.

4/8/98